

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:13-CV-897-CCE-LPA**

JAMES DILLON, on Behalf of Himself and All Others Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	BAY CITIES BANK'S NOTICE OF APPEAL
	:	
BMO HARRIS BANK, N.A., FOUR OAKS BANK & TRUST, a North Carolina-Chartered Bank, GENERATIONS FEDERAL CREDIT UNION, and BAY CITIES BANK, a Florida State-Chartered Bank,	:	
	:	
Defendants.	:	
	:	

Notice is hereby given that Bay Cities Bank (“Bay Cities”), defendant in the above named case, pursuant to 9 U.S.C. § 16, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the Memorandum Opinion and Order entered in this action on March 23, 2016 (Dkt. No. 217) denying Bay Cities’ renewed motion to compel arbitration (Dkt. No. 154).

Dated: April 4, 2016

Respectfully submitted by,

BRYAN CAVE LLP

By: /s/ Mark Vasco

Mark Vasco, NC Bar No. 27048

One Wells Fargo Center

301 S. College Street, Suite 3900

Charlotte, NC 28202

Phone: (704) 749-8930

Fax: (704) 749-8990

Email: mark.vasco@bryancave.com

Specially Appearing Under LCvR 83.1:

Michael P. Carey (GA Bar No. 109364)

Ann Ferebee (GA Bar No. 431941)

1201 W. Peachtree St., N.W.

Suite 1400A

Atlanta, Georgia 30309

Phone: (404) 572-6863

Fax: (404) 420-0863

Email: michael.carey@bryancave.com

ann.ferebee@bryancave.com

Eric Rieder (NY Bar No. 2152577)

1290 Avenue of the Americas

New York, New York 10104

Phone: (212) 541-2057

Fax: (212) 541-4630

Email: erieder@bryancave.com

Attorneys for Defendant Bay Cities Bank

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and have verified that such filing was sent electronically using the CM/ECF system to Plaintiff James Dillon and Defendants BMO Harris Bank, N.A., Four Oaks Bank & Trust and Generations Federal Credit Union.

/s/ Mark Vasco
Mark Vasco, NC Bar No. 27048
mark.vasco@bryancave.com